



New Jersey Department of Children and Families Policy Manual

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Unaccompanied Refugee Minors 6-11-90

The Immigration and Naturalization Service (INS) has a series of categories for persons coming to the United States from other countries.

The categories are based on when and why the person entered the United States and entitles or excludes the person to or from special services and financial aid programs provided by the Federal government and administered to eligible children in New Jersey by the CP&P Refugee Program Unit.

For purposes of this manual section, refugee means a person who fled his country and cannot return to that country because of persecution or fear of persecution on account of race, religion, nationality or political opinion.

A Cuban or Haitian who entered the United States after October 10, 1980, must have in his possession an Immigration and Naturalization Service document, I-94, which shows that the person has been processed by INS. Any INS documentation/parole status on the I-94 card for arrivals after October 10, 1980, enables a person to be eligible for services unless a final order for exclusion or deportation has been issued.

A Cuban or Haitian who entered the United States prior to October 10, 1980, may have in his possession an I-94 form indicating the status of Cuban/Haitian Entrant or Refugee. A Cuban national who entered the United States after October 10, 1980, may also have an I-94 form indicating refugee status.

The Immigration and Naturalization Service (INS) identifies a minor as unaccompanied.

An unaccompanied minor, in all cases, is a child under age 18 who has come to the United States without his parents or without adult relatives and is not "destined" to parent or relative. If an unaccompanied minor is later united with adult relatives, he is no longer an unaccompanied minor.

In rare instances, a minor may be abandoned by a relative or sponsor, making him eligible for consideration for reclassification as an unaccompanied minor. This determination can be made only by the Director of the Office of Refugee Resettlement.

The federal government provides financially for the unaccompanied minor in placement.

Upon referral, the Refugee Program Unit within the Office of Statewide Operations through purchase of service agreements provides foster care and other appropriate services for unaccompanied minors. An unaccompanied minor is a child who, at the time of application:

- is under the age of 18, and
- entered the United States unaccompanied by a parent or adult relative, and
- has no parent or adult relative in the United States willing and able to assume responsibility for him, and
- has refugee status, and
- is placed with non-relatives who have not obtained legal custody.

An unaccompanied minor generally is not available for adoption, since family reunification is the objective of the program. However, in certain rare cases, adoption may be permitted.

Refugee children without the INS designation of unaccompanied minor are provided with CP&P services in the same manner as other children who reside in the State.

REFUGEE/ENTRANT ELIGIBILITY CHART

CATEGORY	COUNTRY OF ORIGIN	DESCRIPTION
REFUGEE ASYLEE	CAMBODIA, LAOS VIETNAM, CUBA, SOVIET UNION, AND OTHER COUNTRIES	Refugees and Asylees admitted under Refugee Act of 1980, without regard to national origin, who have not obtained American citizenship. Persons applying but not yet granted asylee status are not eligible for Refugee Services. A Cuban entering from a third country

		will either be refugee or immigrant-not entrant.
ENTRANT	CUBA, HAITI	<p>National of Cuba, Haiti: Cubans arrived between 4-21-80 and 10-10-80. Some released from resettlement camps post 10-10-80.</p> <p>Haitians arrived without immigration visas, and were in INS proceedings as of 10-10-80, or who arrived subsequent to 10-10-80 and are known to INS. Haitians with I-661 are not eligible for refugee/entrant benefits or services. Cubans and Haitians now allowed to adjust their status to Permanent Resident aliens under Section 202 of P.L. 99-603.</p>
AMERASIAN	VIETNAM	Persons admitted under Federal Amerasian legislation from 3-20-88 for 2 years.

REFUGEE/ENTRANT ELIGIBILITY CHART (continued)

STATUS	SECTION INA (ON I-94)	CLASS OF ADMISSION I-55 OR 151
ADMISSION PRIOR TO 1980		

Parolee	212(d)5	R86
Conditional Entrant	203(a)7	P71, P76
Cuban Refugee	212(d)5 and others	CU6, CU7
Indo-Chinese Refugee	212(d)5	IC6, IC7
ADMISSION SUBSEQUENT TO 1980		
Refugee (new arrival)	207	--
Refugee Permanent Resident Alien (PRA) (eligible after 1 year residence)	207	RE6, RE7, RE8
Asylee granted	208	AS6, AS7, AS8
Asylee (PRA)	208	AS6, AS7, AS8

STATUS	AUTHORITY	CLASS OF ADMISSION
Amerasian	P.L. 100-202	AM6, AM7, AM8
Most current refugees have entered after 1980		

DOCUMENT REQUIRED FOR CUBAN AND HAITIAN ENTRANTS

CUBAN	HAITIAN
I-9-Cuban/Haitian Entrant - Status Pending	I-94-Cuban/Haitian Entrant – Status Pending
I-94-OOE	I-94S-Haitian Entrant ID Card
I-94-Parole Status	I-551-CH6
I-551-CU6, CU7, CH6	

Contract Services Provided to Unaccompanied Minors 8-17-93

CP&P has contracted with private provider agencies to screen, determine eligibility and provide services to unaccompanied minors as with any other eligible children.

When the Local Office determines that a minor may potentially be eligible for services as an unaccompanied minor, contact the Refugee Unit, Office of Statewide Operations.

Non-U.S. Citizens Who Are Not Refugees or Unaccompanied Minors 2-6-2006

Services available through CP&P Local Offices are provided to non-U.S. citizens provided they would otherwise qualify for service. Certain non-U.S. citizens are eligible for services under the programs especially established for them by the federal government. See Unaccompanied Refugee Minors, above.

CP&P is not mandated to refer unregistered aliens (adults or children) to INS. Eligibility for CP&P services is not affected by alien registration status.

CP&P has a responsibility to refer unregistered aliens under age 14 to INS when CP&P has:

- been granted guardianship by a court;
- been given legal custody pursuant to a court order; or
- taken physical custody of an abandoned child, with or without a court order, when the whereabouts of the parent(s) is unknown.

CP&P is not required to refer to alien registration when children remain in the legal custody of their parents but are placed in the physical custody of CP&P when the Division obtains an order to supervise (not an order of custody) in a child protective services matter.

Legal guardians who fail to register children under age 14 with INS can be fined or imprisoned for a misdemeanor offense.

Contract Services Provided to Refugee or Entrant Adults 8-17-93

Services to refugees or entrant children over 16 years of age and adults also are provided through purchase of services contracts. These services include: employment services, English as a second language (ESL), outreach, transportation, translation and interpreter, and support services or information and referral, emergency services, physical and mental health services, home management services and orientation services.

Non-U.S. citizens who do not have the appropriate Immigration and Naturalization Service documents (I-94, I-151, I-551) are considered undocumented aliens and ineligible to receive refugee or entrant services.